IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.CJ.
NOTICE OF MOTION NO.3626 OF 2005
IN
APPEAL NO. 1053 OF 2005
IN
SUMMONS FOR JUDGMENT NO.633 OF 2004
IN
SUMMARY SUIT NO.1737 OF 2004

M/s.Ramnath International Construction (P) Ltd.
and another. .. Appellants
v/s.
Brijendra Kumar Sharma .. Respondent

Mr.Gaurav Joshi with Ms. Sandhya Tolat i/by M/s. Vimadalal & Co. for the appellants.

Ms. Krishna Sharma i/by Mr. Anil Agarwal for the respondent.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 5TH SEPTEMBER, 2006.

P.C.

We heard the counsel for the appellants and perused the impugned decree dated 5.10.2005.

2. The execution of the impugned decree shall remain stayed on the appellants depositing a sum of Rs.60,00,000/- (Rupees sixty lakhs) before this court in three equal instalments of Rs.20,00,000/- (Rupees twenty lakhs) each. The first, second and third instalments shall be deposited on 15th November, 2006, 15th January, 2006 and 15th March, 2006 respectively. In default, the decree shall become executable forthwith.

4. Upon deposit of the said amount, the respondent-decree holder may apply for withdrawal on furnishing security to the satisfaction of the Prothonotary & Senior Master.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)